

October 7, 2022

VIA ECF

The Honorable Nina Gershon
United States District Court
Eastern District of New York
255 Cadman Plaza East
Brooklyn, NY 11201

In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litigation
Case No. 18-md-2819-NG-LB

October 7, 2022 Status Report Regarding Claims Administration

Dear Judge Gershon:

Class Counsel provides this report concerning the status of the claims administration process for the End-Payor Class.

Class Counsel and A.B. Data have continued to meet on a weekly basis to discuss the progress of claims submissions and administration. The deadline for the submission of claims was August 11, 2022, and the section of the website for submission of claims was deactivated on August 25.

As of October 6, 2022, the number of claims submitted on behalf of TPPs is 1,972 and the number of consumer claims is 110,402. A.B. Data has drafted deficiency and rejection letters for both TPP and consumer claimants, informing claimants of their rights regarding adjudication of the claims and in some instances requesting further information. Class counsel has reviewed these draft letters, and AB Data intends to send deficiency letters to TPPs by October 14, 2022, and to consumers by October 27, 2022. Recipients will be given 30 days to respond, though AB Data anticipates some TPPs may ask for an extension.

A.B. Data observes no unexpected issues with respect to TPP claims at this time. As detailed in previous updates, A.B. Data continues to investigate potentially fraudulent consumer claims by examining the identities of those who submitted the claims, checking claimants against lists of known fraudulent claimants, and employing various sampling and testing methodologies. Class counsel will advise the Court of the results of this investigation.

To: The Honorable Nina Gershon

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Respectfully submitted,

/s/ David Rudolph

David Rudolph

cc: All Counsel via ECF

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